

AO 441 (Rev. 12/09) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas
Austin Division

Maxine White

Plaintiff

v.

Frontier Airlines

Defendant, Third-party plaintiff

v.

The Austin Fire Department, The City of Austin Aviation Department,
Austin-Bergstrom International Airport, The City of Austin and
Huntleigh USA Corporation,

Third-party defendants

Civil Action No. 16-CV-1266 LY

JURY DEMAND

SUMMONS ON A THIRD-PARTY COMPLAINT

To: (Third-party defendant's name and address)

Austin Fire Department
c/o City of Austin Clerk Jannette Goodall
301 West Second Street, Suite 120
Austin, Texas 78701

A lawsuit has been filed against defendant City of Austin, who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Maxine White.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Frontier Airlines
c/o Patrick J. Comerford
Smith Robertson, LLP
221 W. 6th Street, Suite 1100
Austin, Texas 78701

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are: Maxine White
c/o Joel Levine
5407 Parkcrest Dr., Ste 300
Austin, Texas 78731

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may — but are not required to — respond to it.

Date:

7-21-2017

Jannette J. Cloack

CLERK OF COURT

Leneke Samia

Signature of Clerk or Deputy Clerk

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Civil Action No. 16-cv-1266-LY

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Austin Fire Department c/o Austin City Clerk
 was received by me on *(date)* 07/26/2017.

☐ I personally served the summons on the individual at *(place)* _____
 on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Jannette Goodall as City of Austin Clerk, who is
 designated by law to accept service of process on behalf of *(name of organization)* Austin Fire Department
@ 3:05 pm on *(date)* 07/27/2017; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 7-28-17



Server's signature

Chris Dathe, SCH 6008, Certified Private Process Server

Printed name and title

Magic Couriers, Inc.
815-A Brazos, #276, Austin, Texas 78701
(512) 248-8686

Server's address

Additional information regarding attempted service, etc:

Address of service is 301 W 2nd Street, Suite 1120, Austin, Texas 78701